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Attorneys for Defendant  
LIFEFORCE DIGITAL INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

THRESHOLD ENTERPRISES LTD., a  
Delaware corporation,

Plaintiff,

v.

LIFEFORCE DIGITAL INC., a  
Delaware corporation,

Defendant.

Case No.: 5:22-cv-06483-PCP

**STIPULATION AND ~~[PROPOSED]~~  
ORDER EXTENDING BRIEFING  
SCHEDULE ON MOTION FOR  
SUMMARY JUDGMENT AND  
RELATED MOTIONS FOR TWO  
WEEKS TO PERMIT SETTLEMENT  
DISCUSSIONS (DKT. # 91-94)**

Judge: Hon. P. Casey Pitts

Pursuant to Civil Local Rule 6-2 and 7-12, Plaintiff Threshold Enterprises Ltd. (“Plaintiff”) and Defendant Lifeforce Digital Inc. (“Defendant”) (collectively, “Parties”), by and through their respective counsel of record, hereby stipulate as follows for the purpose of allowing a short reprieve from the schedule to permit settlement discussions:

WHEREAS, on May 13, 2024, Defendant filed the following motions: (1) Motion for Summary Judgment (Dkt. # 91), (2) Motion in Limine to Exclude the Expert Report of David Franklyn (Dkt. #92), (3) Motion in Limine #1 (Dkt. #93), and (4) Motion in Limine #2 (Dkt. #94) (collectively “Motions”);

WHEREAS, under the current scheduling order, Plaintiff’s oppositions to these Motions are due four weeks later, June 10, 2024, and Defendant’s replies in support of these Motions are due four weeks after that, on July 8, 2024 (See Dkt. #45)<sup>1</sup>;

WHEREAS, a hearing on these Motions is currently schedule for August 29, 2024 (re-set from June 2024) (Dkt. #95);

WHEREAS, trial in this case is currently scheduled for September 23, 2024 (Dkt. # 66), but the Parties anticipate this will need to move in light of the new August 29, 2024 hearing date, and have been meeting and conferring regarding an alternative trial date;

WHEREAS, the Parties are now engaged in settlement discussions;

WHEREAS, to allow for meaningful settlement discussions, the Parties agree that it is appropriate to extend the briefing schedule on the Motions by two weeks, specifically oppositions to the motions would be due on June 24, 2024, and replies would be due on July 22, 2024;

WHEREAS, the Parties believe there is good cause for this brief extension as it allows a short period for the Parties to complete settlement discussions;

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<sup>1</sup> The Parties note that the Motions were docketed with response deadlines of June 13, 2024, and reply dates of July 15, 2024, but for purposes of this request will treat the deadlines as the earlier four week deadlines of June 10, 2024 and July 8, 2024.

WHEREAS, the requested extension would result in the dates being modified as follows, with modifications shown in bold:

Event	Current Deadline	Proposed Deadline
Amendment of Pleadings/Joinder	July 28, 2023	July 28, 2023
Close of Fact Discovery	January 5, 2024	January 5, 2024
Deposition of Tony Robbins	January 30, 2024	January 30, 2024
Exchange of Opening Expert Reports	January 19, 2024	January 19, 2024
Exchange of Rebuttal Expert Reports	February 23, 2024	February 23, 2024
Close of Expert Discovery	March 15, 2024	March 15, 2024
Depositions of Defendant's Experts	March 25-26, 2024	March 25-26, 2024
Deadline to File Dispositive Motions	May 13, 2024	May 13, 2024
Deadline to File Oppositions to Dispositive Motions	<b>June 10, 2024</b>	<b>June 24, 2024</b>
Deadline to File Replies to Dispositive Motions	<b>July 8, 2024</b>	<b>July 22, 2024</b>
Dispositive Motion Hearing Deadline	August 29, 2024	August 29, 2024 ( <b>with the parties amenable to resetting at the Court's convenience</b> ) 10:00 a.m.
Pretrial Conference	September 10, 2024	September 10, 2024, at <del>3:00 p.m.</del> <b>(with the parties meeting and conferring to propose a new date or the Court so ordering)</b> 9:30
Trial (5 days)	September 23, 2024	September 23, 2024, at <del>8:30 a.m.</del> <b>(with the parties meeting and conferring to propose a new date or the Court so ordering)</b>

WHEREAS, the only prior extensions granted in this case are for the limited purpose of taking fact and expert depositions outside of the discovery cutoffs (Dkt. # 65, Dkt. #78), and the Court also previously vacated the dispositive motion deadline until four weeks after the Court ruled on Plaintiff's motion to dismiss (Dkt. # 78);

WHEREAS, the Court previously denied as moot Defendant's administrative motion to suspend the dispositive motion deadline (Dkt. # 87);

WHEREAS, the Court has never indicated that no further extensions will be permitted;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the Parties, through their respective counsel that:

1. Oppositions to the Motions Are Due on June 24, 2024; and
2. Replies to the Motions Are Due on July 22, 2024

IT IS SO STIPULATED

Dated: May 21, 2024

VALLEJO | ANTOLIN | AGARWAL | KANTER LLP

By: /s/ Monty Agarwal

MONTY AGARWAL

RACHEL CHANIN

Attorneys for Plaintiff

THRESHOLD ENTERPRISES LTD.

Dated: May 21, 2024

AMIN WASSERMAN GURNANI, LLP

By: /s/ George Spatz

GEORGE SPATZ  
MANON BURNS  
Attorneys for Defendant  
  
LIFEFORCE DIGITAL INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: May 23, 2024

By:



Honorable P. Casey Pitts  
Judge of the United States District Court

**ATTESTATION**

I, Monty Agarwal, am the ECF User whose ID and password are being used to file stipulation. In compliance with General Order 45, X.B., I hereby attest that George Spatz has concurred in this filing.

Dated: May 21, 2024

By: /s/ Monty Agarwal  
MONTY AGARWAL